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281554Z Jul 04

C O N F I D E N T I A L THE HAGUE 001902

SIPDIS

E.O. 12958: DECL: 07/28/2014

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SUBJECT: NETHERLANDS/NEPAL: DEMARCHE ON MAOIST VIOLENCE

REF: STATE 159970

Classified By: Political Counselor Andrew Schofer for reasons 1.4 (b,d)

1. (C) Summary: The Dutch are in discussion with EU colleagues regarding designation of the Maoists, but expect to release a "balanced" statement condemning violence on both sides as an interim measure. They expect the Maoists will be designated this Fall. End Summary.

Dutch Presidency Statement Expected This Week

2. (C) Poloff met with Wilfred Mohr, Head of South Asia Division, July 27 to discuss reftel message. Econoff also delivered the points separately on July 23 to Wouter Jurgens, Senior Policy Adviser responsible for terrorist financing issues in the MFA's Political Affairs Department, and on July 27 to Margreet Wenting, Senior Policy Advisor in the Department of Financial Integrity at the Finance Ministry.

3. (C) Mohr confirmed that the EU had followed up its June discussion of the situation at last week's COREPER, and said the Dutch Presidency is preparing to issue a statement on the matter this week. Mohr expected the statement to take a "compromise position" calling on all parties to refrain from excessive violence, and to conduct themselves in a manner consistent with respect for human rights. Mohr said the UK was most active toward getting the Maoists designated, and the Germans and Swedes most hesitant (although he thought the UK had already alleviated the German areas of "criteria" reluctance).

"Balanced Approach"

4. (C) Mohr said that the problem encountered in EU discussion was that there was pressure for a "balanced approach" since both sides were guilty of violent acts (he said "the army goes a bit too far") and some EU member states doubt the sincerity of the GON's attempts to move forward with respect to human rights. Mohr singled out the GON's creation of the Human Rights Office, which he said "has no teeth" and said that the already-existing Human Rights Commission "does excellent work." He wondered why the GON would then create a separate, less active Human Rights Office, implying that this demonstrated that they do not intend to improve the situation as much as they could.

Strategy Toward Designation

5. (C) Mohr seemed fairly certain that the Maoists would be designated by the EU this Fall. The Dutch will issue a Presidency statement, putting pressure on both sides, which should lead the GON to move forward with a cease-fire and initiate peace negotiations. At that point, an EU review would be held, as the result of which Mohr expected the Maoists would be designated. Mohr commented, however, that if the Maoists would be prepared by that time to commence peace negotiations with the GON, the EU would have trouble designating them -- but he did not believe this was likely to occur by the fall. Mohr asked whether the U.S. had a strategy in place for de-listing the Maoists if they began to engage with the GON in peace negotiations.

Not Condemning Maoists

6. (C) When poloff asked whether the Dutch or EU had condemned Maoist terrorism, Mohr provided a July 6 statement released in Kathmandu by the Danish Embassy (EU Presidency representation in Nepal) in which the EU heads of mission welcomed the formation of a new interim government, and called on the GON to ensure early negotiations with the Maoists. He conceded that this did not in fact condemn the Maoists. He also conceded that while the GON could not be construed as conducting "terrorist" acts, the Maoists were in fact engaging in random violent acts.

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